

Not for Publication

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**ANTHONY SANCHEZ and EDUARDO
LUNA** *for themselves and as representatives,*

Plaintiffs,

v.

METLIFE, INC., et al.,

Defendants.

Civil Action No. 23-23073 (ES) (MAH)

ORDER

SALAS, DISTRICT JUDGE

Plaintiffs Anthony Sanchez and Eduardo Luna (together, “Plaintiffs”) brought this putative class action on behalf of themselves and others similarly situated against Defendants Refresco Beverages U.S., Inc. (“Refresco”), MetLife Inc. (“MetLife”) and Rosa Velazquez, a Refresco employee, (together “Defendants”) asserting (i) a third-party beneficiary contractual claim; (ii) unjust enrichment claim; and (ii) claim under the New Jersey Racketeer Influenced and Corrupt Organizations Act (“NJ RICO”), N.J.S.A. § 2C:41–1, *et seq.* (D.E. No. 1-1 (“Complaint” or “Compl.”) ¶¶ 43–59). Before the Court are Plaintiffs’ objections (D.E. No. 48 (“Plaintiffs’ Objections” or “Pl. Obj.”)) to the report and recommendation issued by the Honorable Michael A. Hammer, U.S.M.J., in which Judge Hammer recommends that Plaintiffs’ motion to remand this action to the Superior Court of New Jersey, Law Division, Bergen County (D.E. No. 40 (“Motion”)) be denied. (D.E. No. 47 (“Report and Recommendation” or “R&R”)). Having considered the parties’ submissions, the Court decides this matter without oral argument. *See* Fed. R. Civ. P. 78(b); L. Civ. R. 78.1(b). For the reasons set forth in the Opinion filed herewith,

IT IS on this 3rd day of September 2024, hereby

ORDERED that Judge Hammer's Report and Recommendation (D.E. No. 47) is adopted in full; and it is further

ORDERED that Plaintiff's motion to remand (D.E. No. 40) is DENIED.

s/ Esther Salas

Esther Salas, U.S.D.J.